

USABLE AREA CHANNEL 281A

MAP IS A PORTION OF THE 1:500,000 SCALE
TULSA SECTIONAL AERONAUTICAL CHART.

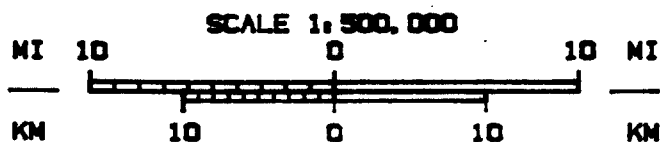


EXHIBIT #7
COMMENTS & COUNTERPROPOSAL
MM DOCKET #93-259
BROADCASTERS & PUBLISHERS
ALLOT CHANNEL 278C
COMO. MISSISSIPPI
November 1993

EROMMO
COMMUNICATIONS
BROADCAST
TECHNICAL CONSULTANTS
St Simons Island, Georgia
Washington, D.C.

ALLOCATION STUDY FOR CHANNEL 281A POCAHONTAS, ARKANSAS
USING PROPOSED ALLOCATION SITE AS REFERENCE

REFERENCE	CLASS A	DISPLAY DATES
36 18 02 N	Current rules spacings	DATA 10-28-93
90 53 55 W	CHANNEL 281 -104.1 MHz	SEARCH 11-17-93

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
AD281	281A	Pocahontas	AR	0.0	0.00	115.0	-115.00
	36 18 02	90 53 55	0.000 kW	OM	0.0	71.5	
<i>Broadcasters & Publishers, Inc</i>							
WTNV	281C1	Jackson	TN	111.3	200.00	200.0	0.00
LI DEN	35 38 46	88 49 57	100.000 kW	201M	124.3	124.3	
<i>Currey Broadcasting Corporation</i>					BLH-7816		
KBCN	282C	Marshall	AR	253.2	165.01	165.0	0.01
LI CN	35 52 17	92 39 10	100.000 kW	310M	102.6	102.6	
<i>Country Music Communications</i>					BLH-900612KC		
ALOPEN	282A	Kennett	MO	87.0	73.84	72.0	1.84
AL N	36 20 07	90 04 39	0.000 kW	OM	45.9	44.8	
MM Docket #93-19 - Window Open 06/29/93 Closed 07/29/93							
AP282	282A	Kennett	MO	85.7	76.84	72.0	4.84
AP CN	36 21 10	90 02 43	6.000 kW	100M	47.8	44.8	
<i>Eagle Bluff Enterprises</i>					930729ME		
CP284	284A	Hardy	AR	270.6	45.98	31.0	14.98
CP CN	36 18 17	91 24 38	6.000 kW	92M	28.6	19.3	
<i>John W. Shields</i>					BPH-920923MB		
KBKG	228A	Corning	AR	68.6	30.26	10.0	20.26
LI CN	36 24 00	90 35 05	3.000 kW	42M	18.8	6.2	
<i>Eulis W. Cochran</i>					BLH-831115AA		

SPACING STUDY CHANNEL 281A

EXHIBIT #8
COMMENTS & COUNTERPROPOSAL
MM DOCKET #93-259
BROADCASTERS & PUBLISHERS
ALLOT CHANNEL 278C
COMO, MISSISSIPPI
November 1993

BROMO
COMMUNICATIONS
St Simons Island, Georgia

BROADCAST
TECHNICAL CONSULTANTS
Washington, D.C.

AFFIDAVIT AND QUALIFICATIONS OF CONSULTANT


State of Georgia)
St. Simons Island)
County of Glynn) ss:

JEFFERSON G. BROCK being duly sworn, deposes and says that he is an officer of Bromo Communications, Inc. Bromo has been engaged by Broadcasters & Publishers, Inc., licensee of Radio Station WWKZ, to prepare the attached Technical Exhibit.

His qualifications are a matter of record before the Federal Communications Commission. He has been active in Broadcast Engineering since 1979.

The attached report was either prepared by him or under his direction and all material and exhibits attached hereto are believed to be true and correct.

This the 17th day of November, 1993.



Jefferson G. Brock
Affiant

Sworn to and subscribed before
me this the 17th day of November, 1993.



Notary Public, State of Georgia
My Commission Expires: September 8, 1995

EXHIBIT B

FCC MAIL SECTION

MAR 10 3 04 PM '93

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

4 MAR 1993

IN REPLY REFER TO:
1800B3-RAB

RECEIVED BY
William H. Pollack, President
Pollack Broadcasting Company
105 Mysen Circle
Cordova, Tennessee 38018

In re: KOSE(FM), Wilson, AR
Application for Construction
Permit to Replace Expired Permit
(BPH-921023JV)

Dear Applicant:

This letter is in reference to the above-captioned application for construction permit to replace expired permit (BPH-891129MI) for station KOSE(FM), Wilson, Arkansas.

Construction permit BPH-891129MI, granted March 28, 1991, required completion of construction by September 28, 1992. The subject application to replace the expired permit was filed twenty-five days after the construction permit expired. Section 73.3534(b) of the Commission's Rules requires that such applications be filed within 30 days of the expiration sought to be completed. You state that you originally planned to file this application as an application for extension of the KOSE-FM permit; but, due to delays in transit, you are filing it as an application for reinstatement of the permit.

In the subject reinstatement application, you state that during the term of the KOSE-FM permit, you were asked to undertake the task of returning a failed AM station WPLX, Collierville (now Germantown), Tennessee to the air. This project, which was ultimately successful, consumed resources which otherwise could have been devoted to the construction of KOSE-FM. Additionally, Northeast Arkansas, particularly Mississippi county, where Wilson is located, is an economically depressed area in which it is extremely difficult for a new Class A FM station, standing alone, to survive. The area is dominated by existing Class C facilities which cover multiple counties. Therefore, you hope to join KOSE-FM with a complimentary FM outlet in Gosnell, Arkansas as to cover both ends of Mississippi County. Over two years ago, Gosnell Broadcasting Company, a company under a common ownership with your company, filed an application for a construction permit for the latter station. Since the application for the Gosnell station was filed on a first come, first served basis, you expected that the Gosnell permit would be granted in ample time to build and operate the two stations simultaneously. However, you note that, "for reasons which are not entirely clear," processing of the Gosnell application has been substantially delayed in the FM Branch. Finally, as soon as the Gosnell application is granted, you can proceed to complete construction of both KOSE-FM and of the Gosnell station.

The Commission expects rapid completion of construction and grants applications for extensions or replacements only when there is substantial evidence the

have taken all possible steps to proceed with construction. In its Memorandum Opinion and Order in re Amendment of Section 73.3598, and associated Rules concerning the construction of Broadcast stations, 102 FCC 2d 1054 (1985), the Commission established strict standards for the grant of extensions of time to construct broadcast facilities. Such extensions will be granted only if one the following criteria has been met:


1. Construction is complete and program testing is underway looking toward prompt filing of a license application.
2. Substantial progress has been made, i.e., demonstration that equipment is on order or on hand, site cleared and construction proceeding toward completion.
3. No progress has been made for reasons clearly beyond the control of the permittee (such as delays caused by governmental budgetary processes and zoning problems) but the permittee has taken all possible steps to resolve the problem expeditiously and proceed with construction.

See also 47 C.F.R. § 73.3534 (b).

You have not shown substantial evidence that concrete steps, or indeed that any steps at all have been taken to complete construction. It appears that the delays in construction are due to financial considerations and business decisions. Since the permittee was required to certify its financial qualifications in its original construction permit application the unavailability of funds is not normally considered to be a circumstance beyond the permittee's control. Additionally, your decision to devote time and resources to resurrecting WPLX constitutes a business judgment wholly within your control. Accordingly, you have not demonstrated compliance with the Commission's strict guidelines for granting broadcast applications for extensions of time to construct, and the subject extension application will be denied.

Accordingly, the application for construction permit to replace expired permit for station KOSE(FM), Wilson, Arkansas. File No. (BPH-921023JV) IS HEREBY DENIED. In addition, pursuant to 47 C.F.R. § 319(b) and 47 C.F.R. § 73.3534, the construction permit BPH-891129MI IS FORFEITED AND CANCELLED and the call letters KOSE ARE DELETED. These actions are taken pursuant to 47 C.F.R. § 0.0283.

Sincerely


Larry D. Pads, Chief
Audio Services Division
Mass Media Bureau

cc: Barry D. Wood, Esq.

EXHIBIT C

JONES, WALDO, HOLBROOK & McDONOUGH

A PROFESSIONAL CORPORATION

ATTORNEYS AND COUNSELORS

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248 EAST TABERNACLE

ST. GEORGE, UTAH 84770

(801) 828-1827

TELECOPIER (801) 828-5225

November 18, 1993

William Caton, Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Re: MM Docket 93-259
Wilson, Arkansas, et al.

Dear Mr. Caton:

Our client, Pollack Broadcasting Company, was granted a construction permit by the FCC on March 28, 1991 for station KOSE-FM, on Channel 279A in Wilson, Arkansas. The Company has pending before the FCC a request for additional time within which to complete construction of KOSE-FM (its first such request).

On behalf of Pollack Broadcasting Company, this is to confirm that the Company has consented to the substitution of FM Channel 234A for Channel 279A at Wilson in order to accommodate changes in the FM Table of Allotments proposed by Broadcasters & Publishers, Inc., licensee of FM station WWKZ, New Albany, Mississippi.

Pollack Broadcasting Company understands that a site restriction to the west of the site specified in the KOSE-FM construction permit is necessary in order to meet Commission spacing requirements with respect to certain co-channel and adjacent channel facilities. Pollack has agreed to accept that site restriction to the extent contemplated by the Commission's Rules.

If Channel 234A is allotted to Wilson as proposed, Pollack Broadcasting Company will seek a modification of its construction permit as necessary to comply with the Commission's Rules relating to transmitter site location, and will complete construction of the station at an appropriate site.

Yours truly,

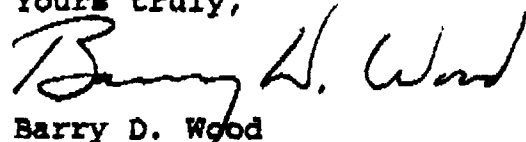

Barry D. Wood

EXHIBIT D

NOVEMBER 9, 1993

AGREEMENT

THIS AGREEMENT IS ENTERED INTO THIS THE NINTH DAY OF NOVEMBER, 1993 BY BROADCASTERS AND PUBLISHERS, INC. (HEREINAFTER REFEREED TO AS BPI), LICENSEE OF RADIO STATION WWKZ, NEW ALBANY, MISSISSIPPI AND SCOTT MEDIA SERVICES (HEREINAFTER REFERRED TO AS SMS), LICENSEE OF STATION KPOC-FM, POCAHONTAS, ARKANSAS.

WHEREAS BPI IS PREPARING TO FILE COMMENTS AND A COUNTERPROPOSAL IN MM DOCKET # 93-259 BEFORE THE FEDERAL COMMUNICATIONS COMMISSION SEEKING TO CHANGE SEVERAL EXISTING AND PROPOSED ALLOTMENTS IN THE STATES OF MISSISSIPPI AND ARKANSAS.

WHEREAS BPI IS PROPOSING TO SUBSTITUTE CHANNEL 281A FOR CHANNEL 280A AT POCAHONTAS, ARKANSAS THUS REQUIRING KPOC-FM TO CHANGE CHANNELS.

WHEREAS BPI REQUESTS THAT SMS CONSENT TO THIS CHANNEL CHANGE.

WHEREAS CHANNEL 280A IS PRESENTLY PRECLUDED FROM OPERATION AT SIX KILOWATTS EFFECTIVE RADIATED POWER AND CHANNEL 281A IS CAPABLE OF OPERATION AT SIX KILOWATTS EFFECTIVE RADIATED POWER AT THE PRESENT KPOC-FM TRANSMITTER SITE AT THE PRESENT LICENSED HEIGHT ABOVE AVERAGE TERRAIN OF THE KPOC-FM ANTENNA SYSTEM.

WHEREAS SMS RECOGNIZES THAT FOR THE PURPOSES OF THE COMMENTS AND COUNTERPROPOSAL BPI WILL SPECIFY A REFERENCE SITE FOR CHANNEL 281A AT POCAHONTAS, ARKANSAS WHICH IS NOT THE PRESENT LICENSED SITE FOR KPOC-FM.

WHEREAS SMS WILL COOPERATE WITH BPI AND FILE SUPPORTING COMMENTS WHERE NECESSARY IN CONJUNCTION WITH BPI, IN SUPPORT OF THE CHANNEL CHANGE AT POCAHONTAS, ARKANSAS.

IT IS HEREBY AGREED AS FOLLOWS:

1. SMS CONSENTS TO HAVING ITS CHANNEL CHANGE AT POCAHONTAS, ARKANSAS PROVIDED THAT IT IS REIMBURSED FOR REASONABLE EXPENSES TO EFFECTUATE THE CHANNEL CHANGE.
2. BPI CONSENTS TO REIMBURSE SMS FOR ITS REASONABLE, DOCUMENTED, EXPENSES.
3. BPI WILL AT ITS EXPENSE, PREPARE THE NECESSARY ENGINEERING DOCUMENTS IN SUPPORT OF THE CHANGE OF CHANNELS AND UPON THE ACTUAL CHANGING OF CHANNELS WILL PREPARE THE NECESSARY FCC FORMS TO ENABLE KPOC-FM TO OPERATE ON CHANNEL 281A AT POCAHONTAS, ARKANSAS.

FOR BPI:

D. Dean Pearce President

FOR SCOTT MEDIA SRV

Timothy B. Scott

WITNESS

Ron Harper

VH/En

CERTIFICATE OF SERVICE

I, Bridget Y. Monroe, a secretary for the law firm Verner, Liipfert, Bernhard, McPherson and Hand, Chartered, do hereby certify that a true and correct copy of the foregoing "Comments and Counterproposal of Broadcasters & Publishers, Inc." was mailed first-class, postage prepaid, this 18th day of November, 1993, to the following:

Victoria M. McCauley
Assistant Chief
Allocations Branch
Mass Media Bureau
Federal Communications Commission
2025 M Street, NW
Room 8322, 1800D5
Washington, D.C. 20554

Nancy Joyner
Mass Media Bureau
Federal Communications Commission
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Counsel for Earle Broadcasting

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Jones, Waldo, Holbrook & McDonough
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Counsel for Pollack Broadcasting Company

Timothy Scott
KPOC-FM
P.O. Box 508
Pocahontas, Arkansas 72455


Bridget Y. Monroe